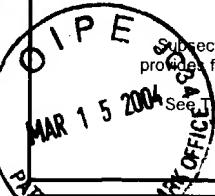


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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).



Application Number	09/437,450
Filing Date	November 10, 1999
First Named Inventor	Freedman
Group Art Unit	1632
Examiner Name	Paras Jr., P.
Attorney Docket Number	1579-315

Please note: This request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment Under Rule 116/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other 43 Sheets of Formal Drawings, MULTIPLE SEQUENCE ALIGNMENT

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. Applicant claims "small entity" status.
- b. Fees are attached as calculated below:
 - i. RCE fee required under 37 C.F.R. § 1.17(e) \$ 385.00
 - ii. Petition is made to extend the due date 4 months (less months previously paid) \$ 740.00
 - iii. Other \$ _____
- c. Check in the amount of \$ 1125.00 enclosed
- d. Payment by credit card (Form PTO-2038 enclosed)
- e. The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Mary J. Wilson	Registration No. (Attorney/Agent)	32,955
Signature		Date	March 15, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	03/16/2004 TLUU11 00000051 09437450	Date	
Signature	385.00 OP	Date	

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MAR 15 2004
U.S. PATENT AND TRADEMARK OFFICE

<i>Application Number</i>	09/437,450
<i>Filing Date</i>	November 10, 1999
<i>First Named Inventor</i>	Freedman
<i>Group Art Unit</i>	1632
<i>Examiner Name</i>	Paras Jr., P.
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 - i. Amendment Under Rule 116/Reply
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 - iii. Information Disclosure Statement (IDS)
 - iv. Other 43 Sheets of Formal Drawings

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Name (Print Type)	Mary J. Wilson	Registration No. (Attorney/Agent)	32,955
Signature	<i>Mary J. Wilson</i>	Date	March 15, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FREEDMAN et al

Atty. Ref.: 1579-315; Confirmation No. 7992

Appl. No. 09/437,450

TC/A.U. 1632

Filed: November 10, 1999

Examiner: Paras Jr., P.

For: STRESSOR REGULATED GENES

* * * * *

March 15, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This is in response to the Office Action dated May 14, 2003, in the above matter, a Notice of Appeal having been filed September 15, 2003, and the period for response having been extended up to March 15, 2004, by submission of the required petition and fee herewith. Kindly amend this application as follows.